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# Book Review

Chester B. Gynn Jr.

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The text is fully annotated, and all pertinent Ohio cases are cited. This allows easy reference to the case law applicable in each subject, and coupled with a logical subject arrangement, gives the Ohio lawyer an extremely useful working tool.

Professor Gardner has been an actively practicing lawyer since 1915, is the editor of Gardner's Civil Code, is an associate editor of Page's Ohio Revised Code, is a member of the Cleveland Bar, and is a member of the faculty at Cleveland-Marshall Law School.

The six volumes of Gardner's Bates Ohio Civil Practice should be a most welcome and useful addition to the Ohio lawyer's library.

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*Reviewed by Chester B. Gynn, Jr.\**

CONTRACTS AND CONVEYANCES OF REAL PROPERTY.  
By Milton R. Friedman. Callaghan & Company, Chicago, 1954.  
425 pages.

"Contracts and Conveyances of Real Property" succeeds in attaining the objectives stated by the author: "This book was written by a practitioner for practitioners in the field of real estate conveyancing, with the aim of considering not only what one should know in this field but also what one should do or not do, and why."

Although the academic nature of real property conveyancing is presented, the book's greatest value lies in its emphasis on the practical aspects of conveyancing. Although practical, it is not a form book. The author cautions against indiscriminate use of forms, but shows where, properly used, they are effective tools. The correct use of them is discussed at appropriate places in the book.

Beginning with the contract of sale, prepared by the lawyer, or memoranda and binders filled out by laymen on the spur of the moment, the book progresses through the complexities of real estate conveyancing—assignments of the contracts, title examination, marketable title, possession, mortgages, deeds, medium of payment, closing adjustments, adjournments or delay

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\* A third year student at Cleveland-Marshall Law School, and a graduate of Case Institute of Technology with the degree of B.S.

in closing, and concludes with the closing itself, the instruments and papers to be delivered, conducting the closing, and the closing statement.

A significant portion of the book is devoted to applications of the marketable title theory. Encumbrances, condemnation, and risk of loss are discussed, accenting their practical effects. Easements, restrictions, party walls, encroachments and projections are presented from the viewpoints of the buyer and seller, not merely from the usual standpoint of adjacent property owners. This is an especially valuable approach to the subject, and one which should prove very useful to the practitioner.

Closing adjustments in the absence of contractual provisions, are presented, including the myriad details such as rent, rent security, taxes, water and utilities, insurance, fuel, wages, service contracts, and submetering of electricity.

In the chapter on Closings a valuable checklist is included covering instruments and papers such as the deed, mortgage papers, leases and rental agreements, insurance, employee's contracts, utility contracts, service contracts, instalment contracts, guarantees of repairs and alterations, awards and claims, building certificates and vault permits.

The text is documented with over 1500 cases and the index allows the reader to use "Contracts and Conveyances of Real Property" as a reference book as well as a text.

This book should not only prove valuable to real estate practitioners, but also to lawyers who occasionally handle a real property conveyance, to embryo attorneys, and to advanced law students who are interested in the practice and practical applications of substantive real property law.

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